IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9937 of 2026
CNR No. ODHC010732642026

Rani Beero ..... ***Petitioner***

Represented by Adv. -
Suchit Kumar Nayak

-versus-

State of Odisha ..... ***Opposite Party***

Represented by Adv. -Mr.
S.K.Rout, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **26.11.2026**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S. has been filed by the Petitioner for regular bail in connection with G.R. Case No.79 of 2026, arising out of Mohana P.S. Case No.150 of 2026, pending in the Court of learned Sessions Judge-cum-Spl. Judge, Gajapati, At- Paralakhemundi for alleged commission of offence punishable under Sections 20(b)(ii)C/29 of the N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 26.07.2026. He further contended that, in the meantime, investigation has been concluded and final PR has

been submitted. He further contended that the Petitioner does not have any criminal antecedent and that he belongs to the locality, therefore there is no chance of his absconding.

5. Further referring to the allegations made in the F.I.R., learned counsel for the Petitioner contended that, as per the prosecution case, a total quantity of 44 kg of contraband Ganja was seized from a bus stop where the Petitioner, along with co-accused Vishal Shamrao Pawar, was waiting to board a bus. He further submitted that the alleged seizure having been effected from a public place, it cannot be conclusively established that the contraband was recovered from the exclusive and conscious possession of the present Petitioner. It was further contended that, having regard to the circumstances leading to the alleged seizure, coupled with the fact that the Petitioner does not have any similar criminal antecedents, the rigours of Section 37 of the NDPS Act would not be attracted in the facts and circumstances of the present case. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and condition which the Petitioner undertakes to abide by while on bail.

6. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground that in the event the Petitioner is released on bail, there is a possibility that he might be involved in similar criminal offences. Learned Additional Standing Counsel submitted that considering the nature of allegation and the contraband used in the present case, the release of the petitioner would be a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

7. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case and further keeping the view the period of detention of the Petitioner in jail custody and the fact that the Petitioner does not have any criminal antecedent, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.45,000/-(Rupees Forty-Five Thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any of the conditions shall entail cancellation of the bail application.

9. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify whether the Petitioner is having any criminal antecedent. In the event it is found that the Petitioner is having any criminal antecedent, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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Signature Not Verified
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Signed by: RUBI BEHERA
Reason: Authentication
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Date: 26-Nov-2026 18:50:18